IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 17069 of 2004

Between:

D. Papaiah, S/o D. Madhan,
R/o Rock Town, L.B. Nagar, R.R. District.

..... PETITIONER

AND

1 Superintendent of Police, Ranga Reddy District.
2 D. Venkataiah,
Major, R/o Madugula (V), Mahaboobnagar District.
3 D. Ramulu,
Major, R/o Madugula (V), Mahaboobnagar District.
4 Muthaiah,
Major, Mahaboobnagar District.
5 S.I. of Police,
R/o Madugula (V), Mahaboobnagar District.
6 C.I. of Police, L.B. Nagar, Ranga Reddy District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Habeas Corpus against the Respondent No.1 to 6 more particularly on Respondent No.5, since the respondent No.5 is having the custody of minor daughter and pass such other order or orders.

Counsel for the Petitioner: MR.SRIHARI CHUNDURU

Counsel for the Respondent Nos.1,5 and 6: THE ADVOCATE GENERAL

Counsel for the Respondent Nos. 2,3,4: ----

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

Petitioner's grievance is that on 8-3-2004, his daughter was kidnapped by respondents 2 and 4 and respondent No.5 had taken custody of his daughter and complaint was lodged with respondent No.6, but, no action has been taken.

Affidavits in reply have been filed by respondents 5 and 6 denying the material allegations. Respondent No.6 states that on 20.3.2004,complaint was given by the petitioner about disappearance of his daughter from 8.3.2004 and Crime No. 235 of 2004 was registered under the caption of girl missing. Statements were thereafter recorded and crime was converted into offence under Sections 366A and 109 of I.P.C., in May, 2004. Investigation is in progress. In view of the affidavits in reply, we are of the view that there is no unlawful detention on the part of the respondents. The investigation is still in progress and it will continue to be conducted in accordance with law.

Hence, no further adjudication is required in this petition and the same is accordingly dismissed.

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DEVINDER GUPTA, CJ

Date: 29th September, 2004

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C.V.RAMULU,J

Pnb

To

1 The Superintendent of Police, Ranga Reddy District.

2 The Sub-Inspector of Police,
R/o Madugula (V), Mahaboobnagar District.

3 The Circle Inspector of Police, L.B. Nagar, Ranga Reddy District.

4 Two C.Cs. to the Advocate General, High Court Buildings, Hyderabad (OUT).

5 Two C.D. copies